# GOVERNMENT OF ANDHRA PRADESH
# ABSTRACT

PS – PR & RD Dept. – Allegations of irregularities in execution of works in Palakonda Mandal of Srikakulam District under MGNREGS Scheme - Disciplinary Proceedings initiated against Sri O. Achutaram, DEE, PR, Palakonda, Srikakulam District (now Retired) - WSD submitted – Inquiry conducted - Charges partially proved – Disagreement factors communicated - Provisional decision taken to impose penalty – Show cause notice - Imposition of penalty of 10% cut in pension for a period of (2) years besides recovery under Rule 9 of A.P. Revised Pension Rules, 1980 – Orders – Issued.

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**PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG-I) DEPARTMENT**

**G.O.Rt.No.192** **Dated: 28 -02-2024.**

**Read the following:-**

1) G.O.Ms.No.35, PR&RD (Vig. I) Department, Dt: 31.01.2013.
2) G.O.Rt.No. 162, PR&RD (Vig. I) Department, Dt: 31.01.2013.
3) From Sri O. Atchutaram, retired Dy.EE (PR), written statement of defence dt: 04.04.2013.
4) G.O.Rt.No. 132, PR&RD (Vig. I) Department, Dt: 09.02.2018.
5) G.O.Rt.No. 34, PR&RD (Vig. I) Department, Dt: 17.01.2020.
6) From the ENC,PR, Letter No. Vig. I (1)/3419/2012, dt: 08.11.2020.
7)From the C.E, PR-II and Inquiry Officer, Letter No. CE(PR)/ 3419/Enquiry Report/ 2015, dated: 29.04.2021.
8) Govt. Memo No.12515/ Vig. I/2012-8, Dt: 03.11.2021.
9) From Sri O. Atchutaram, former Dy.EE, PR, Palakonda (Retd.) representation dt:18.03.2022.
10) Govt.Memo.No.12515/Vig.I/2012-20 Dt:07.03.2023.
11) From Sri O. Atchutaram, former Dy.EE, PR, Palakonda (Retd.) representation dt:17.05.2023.

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**O R D E R:**

Whereas, in the reference 1st read above, based on the report submitted by Engineer-in-Chief, PR on the allegation of certain irregularities in execution of works in Palakonda of Srikakulam District under MGNREGS., Government have accorded sanction under sub-clause (i) of clause (b) of sub-rule (2) of Rule 9 of A.P. Revised Pension Rules, 1980 to initiate departmental proceedings against Sri O. Atchutaram, the then Deputy Executive Engineer, PR, Palakonda (now retired on 30.06.2012). Simultaneously, in the reference 2nd read above, Government have framed following (10) articles of charge against Sri O. Atchutaram, Deputy Executive Engineer (PR) (Retired) under Rule 20 of APCS (CC&A) Rules, 1980, with a direction to the charged officer to submit his written statement of defence:

Article-I:
That the said Sri O. Atchutaram, Dy. Executive Engineer, PRI, Palakonda and retired from service on 30.06.2012, while working as Dy. Executive Engineer, PRI, Palakonda has failed to follow the Government norms in execution and recording of the work Gravelling and Metalling the R/f CSP, Road to Government Women Junior College of Palakonda sanctioned at an estimate cost of Rs.10.00 lakhs under MGNREGS funds during the financial year 2009-2010.

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| Article-II:<br>That Sri O. Atchutaram, Dy. Executive Engineer, PRI, Palakonda and retired from service on 30.06.2012, while working as Dy. Executive Engineer, PRI, Palakonda has failed to follow the Government norms in execution and recording of the work Gravelling and Metalling the R/f PH Road to Venkampeta Colony of Palakonda sanctioned at an Estimate Cost of Rs.10.00 lakhs under MGNREGS funds during the financial year 2009-2010. |
| Article-III:<br>That Sri O. Atchutaram, Dy. Executive Engineer, PRI, Palakonda and retired from service on 30.06.2012 while working as Dy. Executive Engineer, PRI, Palakonda has failed to follow the Government norms in execution and recording of the work Gravelling and Metalling the Road from Navagam, Jumparakota road to Dolamadavalasa sanctioned at an Estimate Cost of Rs. 11.40 lakhs under MGNREGS funds during the financial year 2009-2010. |
| Article-IV:<br>That Sri O. Atchutaram, Dy. Executive Engineer, PRI, Palakonda and retired from service on 30.06.2012 while working as Dy. Executive Engineer, PRI, Palakonda has failed to follow the Government norms in execution and recording of the work Gravelling and Metalling the Road from Lumburu to Voni sanctioned at an Estimate Cost of Rs. 10.00 lakhs under MGNREGS funds during the financial year 2009-2010. |
| Article-V:<br>That Sri O. Atchutaram, Dy. Executive Engineer, PRI, Palakonda and retired from service on 30.06.2012 while working as Dy. Executive Engineer, PRI, Palakonda has failed to follow the Government norms in execution and recording of the work Gravelling and Metalling the Road from R&B road to Savariguda via Biyyalavalasa at an Estimate cost of Rs. 25.00 lakhs under MGNREGS funds during the financial year 2009-2010. |
| Article-VI:<br>That Sri O. Atchutaram, Dy. Executive Engineer, PRI, Palakonda and retired from service on 30.06.2012 while working as Dy. Executive Engineer, PRI, Palakonda has failed to follow the Government norms in execution and recording of the work Gravelling and Metalling the Road from CSP road to Vattapadu via Attalli sanctioned at an Estimated cost of Rs. 32.00 lakhs under MGNREGS funds during the financial year 2009-2010. |
| Article-VII:<br>That Sri O. Atchutaram, Dy. Executive Engineer, PRI, Palakonda and retired from service on 30.06.2012 while working as Dy. Executive Engineer, PRI, Palakonda has failed to follow the Government norms in execution and recording of the work Gravelling and Metalling the Road from Pedakotipalli to Chinnakotipalli S.T. village sanctioned at an estimate cost of Rs.10.00 lakhs under MGNREGS funds during the financial year 2009-2010. |
| Article-VIII:<br>That Sri O. Atchutaram, Dy. Executive Engineer, PRI, Palakonda and retired from service on 30.06.2012 while working as Dy. Executive Engineer, PRI, Palakonda has failed to follow the Government norms in execution and recording of the work Gravelling and Metalling the Road from Gudiwada to Chinnakotipalli, S.T. village sanctioned at an estimate cost of Rs.9.00 lakhs under MGNREGS funds during the financial year 2009-2010. |
| Article-IX:<br>That Sri O. Atchutaram, DEE, PRI, Palakonda and retired from service on 30.06.2012 while working as Dy. Executive Engineer, PRI, Palakonda has failed o follow the Government norms in execution and recording of the work Gravelling and Metalling the Road from PH road to Neelamma Colony of Palakonda sanctioned at an estimate cost of Rs.10.00 lakhs under MGNREGS funds during the financial year 2009-2010. |

Article-X:
That Sri O. Atchutaram, Dy. Executive Engineer, PRI, Palakonda and retired from service on 30.06.2012 while working as Dy. Executive Engineer, PRI, Palakonda has failed to follow the Government norms in execution and recording of the work Gravelling and Metalling the Road from PH road to M.K. Rajapuram sanctioned at an estimate cost of Rs. 7.00 lakhs under MGNREGS funds during the financial year 2009-2010.

2. And whereas in the reference 3rd read above, the Charged Officer Sri O. Atchutaram, Deputy Executive Engineer (PR) (Retired) has submitted his written statement of defence on the charges framed against him. After examining the written statement of defence of the Charged Officer along with other Charged Officers, Government have taken a decision to conduct regular enquiry into the matter. Accordingly, in the references 4th read above, Government have entrusted the case to Sri K. Ravindra, Chief Engineer, PR as the Inquiry Authority. Subsequently, in the reference 5th read above appointed the Chief Engineer, PR-II & MGNREGS (by designation) as the Inquiry Authority to conduct enquiry into the above charge framed against the charged officer, among others, since Sri K. Ravindra, CE (PR) had retired from service on 30.06.2019.

3. And whereas, in the reference 6th read above, the Engineer-In-Chief, PR has furnished report duly stating that earlier the Q.C. wing proposed for recovery and notices were issued to the Sarpanches for remittance of QC recovery but the Sarpanches had not responded to the notices issued by the Superintending Engineer, PR, Srikakulam since there was no agreement/MOU between the Department and Work Executing Members with regard to Specifications/Quantity/ Rates for the works executed. Therefore, the total recoveries arrived "as per actual field condition as Rs.12,94,883/-, out of which an amount of Rs.7,13,653/- was adjusted towards Q.C. recoveries. With regard to balance amount of Rs.6,67,473/-, it was decided to recover the same initially from the field officers in the ratio of 5:3:2 from the Section Officer (AE/AEE): Deputy Executive Engineer, Executive Engineer respectively. Accordingly, an amount of Rs.1,91,842/- has been apportioned and to be recovered from the charged officer Sri O. Atchutaram, Deputy Executive Engineer (PR) (Retired) towards his share of loss in the matter.

4. And whereas in the reference 7th read above, the Inquiring Authority has submitted his Inquiry Report and among others, the Inquiry Authority has held that the charges framed against the charged officer Sri O. Atchutaram, Deputy Executive Engineer (PR) (Retired) is "partially proved. Government have examined the matter and observed that the charged officer was involved in ten (10) road works and the deficiencies as per the Inquiry Report. In the light of clause (b) of Para-2 of instructions issued in Govt.Memo.No.15320 /Vig.I/2005-1, Dt:12.05.2006 of PR&RD (Estt-I) Department, Government have disagreed with the findings of IO that charges are partially proved and treat the same as **held proved**. A copy of the Inquiry Report together with disagreement factors was communicated to the charged officer for his representation if any on the disagreement factors, vide reference 8th read above.

5. And whereas in the reference 9th read above, the charged officer Sri O. Atchutaram, Deputy Executive Engineer (PR) (Retired) has submitted his representation duly stating that he had retired from service in the year 2012 and the disciplinary proceeding were pending for more than 10 years and his pensionary benefits are pending. The inquiry is not in accordance with Rules

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and as per MGNREGS, the works were entrusted to respective Gram Panchayats by the Executive Engineer. He being the Dy.EE, followed the MGNREGS guidelines and the works are under public utility and finally requested to re-examine the matter and drop further action against him. It is observed that the Charged Officer being the check measuring authority is responsible in execution of works as per norms and standards. The charged officer involved in ten (10) works out of which, in many number of works deficiencies are more than the permissible limits. Hence, he is held responsible for substandard execution of works causing loss to Government. Hence, Government, after examination of the matter, have taken a provisional decision to impose a penalty of 10% cut in pension for a period of (2) years under Rule-9 of A.P. Revised Pension Rules, 1980 besides recovery of Rs.1,91,842/-towards his share, with interest at Bank Rate + 2% as per Article 300 of A.P. Financial Code (Volume-1) from the date of inquiry report dt:29.04.2021. Accordingly, in the reference 10th read above, show cause notice was issued under Rule 9 of A.P. Revised Pension Rules, 1980 for submitting his explanation, if any, on the proposed penalty.

6. And whereas in the reference 11th read above, the Charged Officer Sri O. Atchutaram, Deputy Executive Engineer (PR) (Retired) has submitted his representation and no fresh grounds are put-forth by him in reply to show cause notice and it is therefore decided to proceed further with the above provisional decision.

7. And whereas, Government, after careful examination of the matter, hereby impose a penalty of 10% cut in pension for a period of (2) years under Rule-9 of A.P. Revised Pension Rules, 1980 besides recovery of Rs.1,91,842/-towards his share, with interest at Bank Rate + 2% as per Article 300 of A.P. Financial Code (Volume-1) from the date of inquiry report dt:29.04.2021 under Rule-9 of A.P. Revised Pension Rules, 1980 against the Charged Officer Sri O. Atchutaram, Deputy Executive Engineer (PR) (Retired) since the charges were held proved.

8. The Engineering-in-Chief, Panchayath Raj, A.P., Vijayawada shall take necessary further action accordingly.

**(BY OREDER IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

**B RAJSEKHAR**
**SPECIAL CHIEF SECRETARY TO GOVERNMENT**

To
Sri O. Atchutaram, Deputy Executive Engineer (PR) (Retired) **through** the Engineering-in-Chief, Panchayat Raj, A.P., Vijayawada.
The Engineering-in-Chief, Panchayat Raj, A.P., Vijayawada (with a request to serve the order on the individual and furnish the served copy and also pursue with concerned for efecting the penalty imposed)
**Copy to:**
The Accountant General, Andhra Pradesh, Vijayawada.
The Superintending Engineer, PR, Srikakulam District.
SC/SF.

//FORWARDED::BY::ORDER//

SECTION OFFICER